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Attorneys for Plaintiff Farr Construction Corporation

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

**FARR CONSTRUCTION CORPORATION,
d/b/a RESOURCE DEVELOPMENT
COMPANY,**

Plaintiff,

vs.

**UNITED STATES OF AMERICA,

Defendant.**

Case No. 2:24-CV-02064-JCM-MDC

**STIPULATION AND [PROPOSED]
ORDER TO TRANSFER ACTION FROM
SOUTHERN DIVISION TO NORTHERN
DIVISION OF THE DISTRICT OF
NEVADA**

COMES NOW Plaintiff Farr Construction Corporation (“Plaintiff”) by and through its counsel Jeffrey B. Setness of the law firm Fabian VanCott, and the United States of America (“Defendant”), by and through its counsel Tijuhna A. Green of the U.S. Department of Justice – Tax Division, and hereby stipulate to the transfer of this action from the unofficial Southern Division of the District of Nevada to the unofficial Northern Division of the District of Nevada based upon the following:

1. Local Rule 1A 1-6 entitled “Court Structure and Divisions of the District of Nevada” states, that:

The State of Nevada constitutes one judicial district. The district has two unofficial divisions:

Southern Division: Clark, Esmeralda, Lincoln and Nye counties.

Northern Division: Carson City, Churchill, Douglas, Elko, Eureka, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, Washoe and White Pine counties.

2. Local Rule 1A 1-8(a) entitled “Place of Filing” states, in pertinent part, that “. . . [a]ll other civil actions must be filed in the clerk’s office for the unofficial division of the court in which the action allegedly arose.”

3. The Complaint filed on November 5, 2024 (Doc. No. 1) states, in pertinent part, that:

6. Plaintiff is a Nevada corporation whose principal place of business is in Sparks, Washoe County, Nevada. Plaintiff is a contractor for property excavation, demolition, land clearing, and general grading services.

7. Defendant is the United States of America.

Given the fact that Plaintiff’s principal place of business is in Sparks, Washoe County, Nevada, this case should have been filed in the Northern Division. Counsel for Plaintiff mistakenly filed this action in the Southern Division.

The United States does not waive any defenses under Fed. R. Civ. P. 12 by entering this stipulation.

Based upon the foregoing, Plaintiff and Defendant stipulate to the transfer of this action from the unofficial Southern Division to the unofficial Northern Division, and respectfully request that the Court order such a transfer.

Respectfully submitted,

FABIAN VANCOTT

DATED: November 26, 2024

/s/ Jeffrey B. Setness

JEFFREY B. SETNESS, ESQ.

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Attorneys for Plaintiff Farr Construction Corporation

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1 DATED: November 26, 2024

/s/ Tijuhna A. Green

2 TIJUHNA A. GREEN

Trial Attorney

U.S. Department of Justice, Tax Division

3 Civil Trial Section - Western Region

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Washington, DC 20044

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Attorneys for Defendant United States of America

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8 **ORDER**

9 Based upon the Stipulation of the parties and good cause appearing, it is hereby ordered that
10 this action be transferred from the Southern Division of the United States District Court for the
11 District of Nevada to the Northern Division of the United States District Court for the District of
12 Nevada.

13 DATED: November 27, 2024

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15 MAXIMILIANO D. COUVILLIER, III
16 UNITED STATES MAGISTRATE JUDGE
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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of November 2024, I served a true and correct copy of the foregoing:

STIPULATION AND [PROPOSED] ORDER TO TRANSFER ACTION FROM SOUTHERN DIVISION TO NORTHERN DIVISION OF THE DISTRICT OF NEVADA

on the following by the method(s) indicated below:

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/s/ Anna Gawens
An Employee of
Fabian VanCott